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21.2.2000

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED ~~THE~~ 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR. JUSTICE H.RANGAVITTALACHAR

H.R.R.P. No. 583/1998

Smt. P.M. Srilakshmi,

w/o. Sri. P.M. Madhusudhan,

Aged about 46 years,

Hindu, Sri Lakshmi Jewellers,

C.T. Street,

Bangalore-560 002.

: PETITIONER

(BY Sri. K.R. Ashok Kumar, Adv.)

-vs-

Sri. B.H. Srinivasa Murthy,

s/o. Sri. Hanumantharaya Setty,

major, Hindu,

Occupation: Business,

"Rajatha Jewellers",

No.2A., O.T. Street,

Bangalore-560 002.

: RESPONDENT

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HRRP is filed u/s.50(1) of ~~K~~R C Act against

the order dated 18.3.1998 passed in HRC

No.1421/1995 on the file of the Small Causes,  
Court, Bangalore.

This HRRP coming on for Admission this  
day, the court made the following:

ORDER

During the enquiry of an eviction petition  
filed by the respondent/landlord, the tenant  
made an application under Order 6 Rule 17 of CPC  
under which he wanted to add to his objection  
statement a further contention viz.,:

"That at the time of entering  
the tenancy, he had paid pagadi  
of Rs. 40,000/-".

This application has been rejected on the  
ground that the said objection is totally alien  
for the purpose of considering the main petition  
which is filed under Sec.21(1)(h) & (p) of the  
Rent Control Act by the landlord.

I agree with the reasonings and findings  
of the court below.

No merit in the petition.  
Petition rejected.

Sd/- JUDGE

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MVT R.BY:

C.BY: ✓

Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

